

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

ANDY KIM, in his personal capacity as  
a candidate for U.S. Senate, et al.

Plaintiffs,

vs.

CHRISTINE GIORDANO HANLON,  
in her official capacity as Monmouth  
County Clerk, et. al.,

Defendants.

- and -

DALE A. CROSS, in his official  
capacity as Salem County Clerk, et al.,

as Interested Parties.

Civil Action No.: 3:24-cv-1098  
(ZNQ)(TJB)

**CERTIFICATION OF  
JOANNE RAJOPPI**

I, JOANNE RAJOPPI, being of full age, hereby certify as follows:

1. I am the Union County Clerk and one of the defendants in this action in my official capacity.

2. I have personal knowledge of the matters stated herein except as otherwise stated.

I respectfully submit this certification in support of the submission of my counsel regarding Plaintiffs' obligation to post a bond in the event the Court grants Plaintiffs' motion for a preliminary injunction requiring that the upcoming primary election be conducted with the use of a "block ballot" format.

3. I have reached out to B&B Press ("B&B") the printer Union County uses for vote by vote by mail ballots and provisional ballots. B&B's President, Mark Bistis, informed me that a change to the ballot design would require a new layout configuration and software template

adjustments. Mr. Bistis also informed me that he believed a change to the ballot design that the Plaintiffs are demanding here would result in text carrying over to the back of the ballot, which would require instructions to be printed on an additional sheet. B&B estimated these excess printing costs, which would apply to provisional and vote by mail ballots, to be \$20,889.95. A copy of an email from Mr. Bistis and the attached estimate are attached hereto as Exhibit A.

4. I also spoke with a representative of Royal Printing Services (“RPS”), the printing service that is responsible for, among other things, printing the official machine ballots and sample ballots for election districts in Union County. The RPS representative has informed me that excess printing costs to conform ballots to any order requiring the use of an “office block” ballot form would be approximately \$32,550.00, which I am informed is based on estimated increased cost of \$75.00 for each of the 434 voting districts in the county. A copy of a letter from Kevin N. Passante of RPS reflecting the foregoing is attached hereto as Exhibit B.

5. I have also reached out to my contacts at ES&S, the supplier of the voting machines used throughout Union County, to determine what, if any, excess costs the county might incur from ES&S in the event that a “block ballot” format is needed for the upcoming primary election.

6. On March 20, 2024, the ES&S Account Manager for Union County, Kevin Zaremba, responded to my inquiry via email as follows:

We received your request for pricing for the block style coding.

In order to determine whether the ES&S voting system is able to accommodate changes to the ballot design in New Jersey, ES&S first needs to understand the specific requirements of the change.

Depending on the state’s requirement and guidance, the changes may or may not require testing and certification of a new or updated version of the software. Without understanding the specific requirements of the proposed changes, we are unable to determine the scope and cost of the effort to accommodate them.


7. I responded to Mr. Zaremba's email by, among other things, asking whether the voting machines in Union County currently had the capability of accommodating a "block ballot" format including the column configuration I understand is in use in the Hunterdon County primary election. Mr. Zaremba responded that: "I understand your concern and I have passed along your questions to my manager. I will get back to you soon with a response." Eventually, on March 22, 2024, Bob Timmins, Regional Account Manager for ES&S, responded that while he understood my frustration, ES&S "simply do[es] not have enough information to provide you or the other Count Clerks pricing or systems capabilities," and that otherwise "this matter is being handled by our legal department and we are not permitted to engage in conversation or provide opinions or guesses." A copy of this email chain is attached hereto as Exhibit C.

8. While, as described above, any excess costs Union County would incur from ES&S to implement a "block ballot" format are currently unknown, I can say, with reasonable certainty, if ES&S is unable (or appears to be unable) to reconfigure the Union County voting machines in a timely fashion sufficient to meet certain statutory imposed deadlines, the upcoming primary election will have to be conducted entirely by vote by mail. This is because the election infrastructure of Union County is set up for voting by touchscreen voting machines rather than by paper ballots. Union County simply does not have the resources to train election workers for the challenges of an abrupt mandate that would result in the need to use only paper ballots at voting sites, which would include, among many other things, ballot security and maintenance of a proper chain of custody.

9. A very conservative estimate of the excess cost to conduct an all vote by mail primary would be \$1,180,000, which was the cost to Union County to conduct the all vote by mail primary in 2020 due to the COVID-19 pandemic. This includes the costs associated with vendors,

postage, supplies, outreach, laptops, overtime for staff, seasonal employees and loaned county staff. I stress that the true cost to conduct the upcoming primary election entirely as vote by mail will almost certainly be higher given that the last all vote by mail primary was four years ago and therefore would have to account for inflation.

I certify that the foregoing statements made by me are true to the best of my knowledge.

  
Joanne Rajoppi

# **EXHIBIT A**

**Joanne Rajoppi**

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**From:** Mark <mark@bbpress.com>  
**Sent:** Thursday, March 21, 2024 12:00 PM  
**To:** Joanne Rajoppi  
**Subject:** Ballot pricing  
**Attachments:** 10915.pdf

\*\*\* CAUTION \*\*\*

This message came from an EXTERNAL address. DO NOT click on links or attachments unless you know the sender and the content is safe. If suspicious forward the message to pcsupport@ucnj.org

Hi Joanne, I've attached what we believe would be additional costs incurred with the proposed ballot layout changes. In addition to the configuration of the new layout and software template adjustments, we believe the contests will carry over to the back of the ballot. This would require the instructions to print on an added sheet, and I have included the cost of that for both VBM and Provisional Ballots.

This does not address the question of whether the current software will accommodate the layout changes.



**Mark Bistis**

President

**B&B Press Inc.**

24 Cokesbury Road, Suite 11

Lebanon NJ 08833

T 908 840 4323 / C 908 398 8900 / F 908 840 4358

[www.bbpress.com](http://www.bbpress.com)



DESIGN.PRINT.MAIL



24 Cokesbury Rd Ste11  
Lebanon NJ 08833  
908-840-4323

## Estimate

No: **10915**

Date: 3/21/24

Customer PO:

Union County Clerks Office  
2 Broad Street, Room 113  
Elizabeth NJ 07201-2299

Quantity	Description	Amount
100,000	2024 Primary Election VBM Ballot Instructions, Letterfold, pack, deliver, 8.5 x 17 white 80# Accent Opaque Smooth, folded to 8.5 x 3.5, printed, 2 colors front in Black, PMS 185 (red) ink,	\$ 13,951.75
35,000	2024 Primary Election Provisional Ballot Instructions, Letterfold, pack, deliver, 8.5 x 17 white 80# Accent Opaque Smooth, folded to 8.5 x 3.5, printed, 2 colors front in Black, PMS 185 (red) ink,	\$ 5,338.20
	Revise Layout and software templates	\$ 1,600.00
Taken by: Mark Bistis  Thank you for your business!		SUBTOTAL \$ 20,889.95 TAX SHIPPING TOTAL \$ 20,889.95

# **EXHIBIT B**





P.O. BOX 1000, West New York, NJ 07093

Phone: (201) 863-3131 • Fax: (201) 867-4437

[www.royalprintingnj.com](http://www.royalprintingnj.com)

Established 1932

Joanne Rajoppi  
County Clerk  
County of Union  
2 Broad St  
Elizabeth NJ 07201

March 22, 2024

Ms. Rajoppi,

In anticipation of the pending court case in Trenton, and depending on the results of said ruling, there could be additional one time expenditures required for this year's Primary election if the ballot layouts all need to be recreated.

As per our conversations we have existing templates on file which we are able to reuse each year, with obvious modifications depending on the number of candidates and offices up for election each year. However, those templates all follow the basic column layout from year to year. My understanding is that this year's ballots may need to be completely recreated using a new 'block' style format, for all ballot types: machine, sample, vote-by-mail, provisional and emergency ballots.

The anticipated additional work to recreate all of these new templates is substantial, especially in the very short time frame we will have to do so. There will most definitely be weekends and extensive overtime costs. Once created we will have them on file for future use, so there would be no additional costs for future elections. We will also keep the existing layout templates on file should we ever need to go back to that style.

Based on preliminary discussions with our graphic arts and having only a basic understanding of what the judge may require, we are estimating the cost of recreating new templates to be approximately \$25.00 per ballot style, per district. Given that the emergency, provisional and vote-by-mail ballots all follow the same layout, there would only be one template needed for these 3 ballots styles.

Union County specifically would need to create a machine, sample ballot and an emergency ballot template for each district. Multiply that by the number of districts (434, I believe currently) and your estimated extra cost for recreating all of the new templates is estimated to be a one time cost of \$32,550.00.

Kevin N. Passante

# EXHIBIT C

## Joanne Rajoppi

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**From:** Timmins, Bob <bob.timmins@essvote.com>  
**Sent:** Friday, March 22, 2024 11:05 AM  
**To:** Joanne Rajoppi  
**Cc:** Zaremba, Kevin  
**Subject:** FW: Quote Request

\*\*\* CAUTION \*\*\*

This message came from an EXTERNAL address. DO NOT click on links or attachments unless you know the sender and the content is safe. If suspicious forward the message to pcsupport@ucnj.org

Good morning Ms. Rajoppi,

I hope this email finds you well. Kevin and I called you earlier today as I feel we owe you a response to your last email. We understand your frustration trying to navigate through all these questions being asked of you in this matter. I apologize if it appears we are not cooperative or responsive, as we are placed in a difficult situation from a vendor standpoint. It is unfortunate but, we simply do not have enough information to provide you or the other County Clerks pricing or system capabilities. As you may be aware, this matter is being handled by our legal department and we are not permitted to engage in conversation or provide opinions or guesses.

Please know we are not taking this situation lightly and in fact just the opposite. We understand how important it is to provide you with factual information you can rely on. This is why we are being so cautious about casually responding or providing guesstimates. Once we have all the block style layout specifications and have the proper time to evaluate it, we will be able to provide concrete information. I know this puts you in a tight spot, and the worst thing we could do is to make the situation worse by giving you information that is not accurate. As your vendor, we are committed to supporting you and all of our counties in the state.

Thank you and enjoy your weekend.

**Bob Timmins – Regional Account Manager**  
**C: 856.577.2396 | [bob.timmins@essvote.com](mailto:bob.timmins@essvote.com)**

---

**From:** Joanne Rajoppi <[jrajoppi@ucnj.org](mailto:jrajoppi@ucnj.org)>  
**Sent:** Wednesday, March 20, 2024 1:49 PM  
**To:** Zaremba, Kevin <[kevin.zaremba@essvote.com](mailto:kevin.zaremba@essvote.com)>  
**Subject:** [EXTERNAL] RE: Quote Request

This message originated from outside your organization

Hi Kevin,

Thank you for ES&S's response to my questions, however, I do believe that ES&S voting machines currently format office box ballots in some jurisdictions.

Do the machines Union County currently have also have this capability? If Union County machines do not have this capability, can they be refitted? In regard to format

I am specifically asking for any format of the office box ballot including the column configuration currently used in the Hunterdon County primary election.



As a County Clerk I have a responsibility to determine answers to these questions in order to plan for any contingency now or in the future. I appreciate ES&S's cooperation and assistance in helping me to meet my constitutional functions.

Regards,

Joanne

**Joanne Rajoppi**

Union County Clerk

2 Broad Street

Elizabeth, New Jersey 07207

Phone: 908-527-4787 \* Fax: 908-558-2589

 Please consider the environment before printing this email



link to the  
iOS version



link to the  
android  
version

**From:** Zaremba, Kevin <[kevin.zaremba@essvote.com](mailto:kevin.zaremba@essvote.com)>

**Sent:** Wednesday, March 20, 2024 12:09 PM

**To:** Joanne Rajoppi <[jrajoppi@ucnj.org](mailto:jrajoppi@ucnj.org)>

**Cc:** Timmins, Bob <[bob.timmins@essvote.com](mailto:bob.timmins@essvote.com)>

**Subject:** Quote Request

**\*\*\* CAUTION \*\*\***

This message came from an EXTERNAL address. DO NOT click on links or attachments unless you know the sender and the content is safe. If suspicious forward the message to [pcsupport@ucnj.org](mailto:pcsupport@ucnj.org)

Good afternoon, Ms.Rajoppi,

We received your request for pricing for the block style coding.

In order to determine whether the ES&S voting system is able to accommodate changes to the ballot design in New Jersey, ES&S first needs to understand the specific requirements of the change.

Depending on the state's requirements and guidance, the changes may or may not require testing and certification of a new or updated version of software. Without understanding the specific requirements of the proposed changes, we are unable to determine the scope and cost of the effort to accommodate them.

Thank you,



Kevin Zaremba Sr Account Manager | Election Systems and Software  
11128 John Galt Boulevard | Omaha, NE 68137 | C: 856-548-6727  
[Kevin.Zaremba@essvote.com](mailto:Kevin.Zaremba@essvote.com) | [www.essvote.com](http://www.essvote.com) 877-377-8683